

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDREW CORZO, et al., individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, et al.,

Defendants.

Case No. 1:22-cv-00125

Judge Matthew F. Kennelly

**DEFENDANT VANDERBILT UNIVERSITY'S MOTION TO SEAL
WITH PLAINTIFFS' CONSENT**

Pursuant to the Confidentiality Order (Dkt. 254) and Local Rule 26.2, Defendant Vanderbilt University (“Vanderbilt”), by its undersigned counsel and with consent of the Plaintiffs, moves the Court for an order sealing ECF No. 461-2 filed on the public docket in this case. In support of this Motion, Vanderbilt states as follows:

BACKGROUND

1. On October 4, 2023, a group of Defendants, including Vanderbilt, filed a sealed Opposition to Plaintiffs’ Motion to Compel FERPA Notices, along with a Declaration of David Gringer, counsel for Defendant University of Pennsylvania, and exhibits to the Declaration. ECF Nos. 451, 451-1 to -12. The Court granted the corresponding motion to seal and directed that a redacted version be filed on the public docket. ECF No. 463.

2. On October 12, 2023, Defendants filed the redacted, public version of the sealed Opposition, a Declaration of David Gringer, and exhibits. ECF Nos. 461, 461-1 to -12.

3. Vanderbilt has determined that Exhibit A to the public version of the Declaration of David Gringer filed on October 12, 2023, contains Vanderbilt's sensitive, confidential information without redactions. *See* ECF No. 461-2.

4. Vanderbilt requests that the Court seal this document containing Vanderbilt's sensitive, confidential information.

5. Counsel for Vanderbilt has conferred with counsel for Plaintiffs. Plaintiffs consent to the motion.

6. If the Court grants the instant motion, Vanderbilt will promptly re-file Defendants' Opposition, including the Declaration of David Gringer and all exhibits, with the appropriate redactions.

7. Vanderbilt attaches to this Motion a redacted version of Exhibit A, which is appropriate for filing on the public docket.

LEGAL STANDARD

8. The Seventh Circuit has long recognized that "[i]nformation that affects the disposition of litigation belongs in the public record unless a statute or privilege justifies nondisclosure," and documents containing confidential information may be sealed. *United States v. Foster*, 564 F.3d 852, 853 (7th Cir. 2009). A court may enter an order directing a document or portion of a document be shielded from public disclosure upon a showing of "good cause." *See, e.g., Bond v. Utreras*, 585 F.3d 1061, 1074 (7th Cir. 2009).

DISCUSSION

9. "[A] court may for good cause shown enter an order directing that one or more documents be filed under seal." Loc. R. 26.2(b).

10. Vanderbilt has good cause to seal ECF No. 461-2 and to replace it with a redacted version because pages 7 and 8 of ECF No. 461-2 contain sensitive personal identifying information of non-parties. In particular, the document contains, without redactions, the years of graduation of current and former Vanderbilt students (whose names are redacted). Vanderbilt has concluded that the public could determine the names that are redacted from the unredacted graduation years, particularly as to the families who have multiple children and their graduation dates listed. Accordingly, it is appropriate for the years of graduation to be redacted.

11. On October 27, 2023, Vanderbilt filed a motion to seal as to a different copy of this document also filed on the public docket. In that motion to seal, Vanderbilt asked the court to (a) seal ECF No. 433-2, a copy of this document that had no redactions, and (b) allow Vanderbilt to replace it with a version that redacted parent names, student names, and student graduation dates. *See* ECF No. 469 (motion); ECF No. 469-1 (proposed redactions).

12. The Court granted the October 27, 2023, motion to seal, and ordered Vanderbilt to re-file ECF No. 433 and all of its exhibits. ECF No. 473. Vanderbilt did so on October 31, 2023. ECF No. 475. The properly redacted version of the document in question is filed at ECF No. 475-2.

13. Vanderbilt asks the Court to seal ECF No. 461-2 so Vanderbilt can replace it with the same redacted version that is now available at ECF No. 475-2.

14. For the foregoing reasons, good cause exists for the Court to seal ECF No. 461-2.

DATED: November 7, 2023

By: /s/ J. Mark Gidley
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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2023, the foregoing document was served on all counsel of record by email or using the CM/ECF system, which will send notice of this filing to all parties.

/s/ J. Mark Gidley

J. Mark Gidley